

ORIGINAL

SEALED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION

CLERK US DISTRICT COURT
NORTHERN DIST. OF TX
FILED

2015 MAY 21 PM 3: 58

DEPUTY CLERK *SW*

IN THE MATTER OF THE SEALING
OF SEARCH WARRANT, APPLICATION
FOR SEARCH WARRANT AND
SEARCH WARRANT AFFIDAVIT

No. **5 - 15 M J 0 0 0 4 5**

**MOTION TO SEAL SEARCH WARRANT, APPLICATION
FOR SEARCH WARRANT AND SEARCH WARRANT AFFIDAVIT**

The United States of America, by and through the United States Attorney for the Northern District of Texas, files this its Motion to Seal Search Warrant, Application for Search Warrant and the Affidavit in Support of Search Warrant and in support of such motion would respectfully show the Court as follows:

I.

This Court has the inherent power to seal affidavits filed with the Court in appropriate circumstances. *Offices of Lakeside Non-Ferrous Metals v. United States*, 679 F.2d 778, 779 (9th Cir. 1982). See also, *In re Sealed Affidavits to Search Warrants*, 600 F.2d 1256, 1257 (9th Cir. 1079); *United States v. Wuagneux*, 683 F.2d 1343, 1351 n.6 (11th Cir. 1982), cert. denied, 104 S.Ct. 69; and *Shea v. Gabriel*, 520 F.2d 879, (1st Cir. 1975).

II.

The facts contained in the Affidavit for Search Warrant, as well as other facts developed during the course of this investigation, indicate that the affidavit in this case should be sealed for a limited time subject to review by the Court for the following reasons:

A. The Search Warrant seeks recovery of specified evidentiary items relating to child pornography violations as evidence and to assist the United States in the continuation of an ongoing investigation currently being conducted.

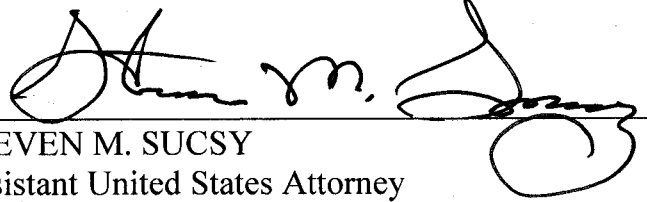
B. Due to the fact that the Government's investigation is continuing, disclosure of the factual data which is contained in the Affidavit in support of Search Warrant outlining the evidence supporting the suspected violations of Title 18, United States Code, Sections 2251(a), 2252 and 2252A could seriously compromise the ability of the United States to obtain additional evidence, locate possible witnesses, identify additional law violations or law violators, and arrest any co-defendants.

III.

The United States moves the Court to order that the Search Warrant, Application for Search Warrant and Affidavit in Support of Search Warrant involved in the issuance of Search Warrant in this case be sealed, save and except that Agents of the United States are not prohibited from using such in furtherance of their investigation following execution of such Search Warrant, for a period of at least thirty (30) days or until further order of the Court.

Respectfully submitted,

JOHN R. PARKER
ACTING UNITED STATES ATTORNEY

A handwritten signature in black ink, appearing to read 'Steven M. Sucsy', is written over a horizontal line.

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